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**MEMO ENDORSED**

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August 31, 2007

AUG 1

FD-350 (Rev. 1-25-79)

Endorsement

All discovery shall be completed by December 14, 2007 at which time counsel shall submit a letter to the court stating whether summary judgment motion are continued or denied. So Ordered.

Your Honor:

I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for the defendants City of New York, and Police Officers Derrick McIntosh and Vlad Kogan, and Police Sergeant Roberto Dominicci in this action. I am writing on behalf of the parties to jointly request that this case be placed on a discovery track. The parties have discussed the remaining outstanding discovery and believe that four months should be sufficient.

Since the August 15, 2007 initial conference, the parties exchanged their respective initial disclosures and attempted to settle this case, but, obviously, have not been successful. We will, of course, continue settlement discussions throughout discovery and will advise you if we need assistance from the Magistrate Judge.

Thank you for your consideration herein.

9/4/07

Respectfully submitted,

Barry K. Myrvold (BM6908)

cc: Richard Cardinale, Esq.  
Cardinale & Marinelli  
Attorneys for Plaintiff

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